

§ 122.153 Limitations on airport of entry or departure.

(a) *Aircraft arrival and departure.* The owner or person in command of any aircraft clearing the United States for or entering the United States from Cuba, whether the aircraft is departing on a temporary sojourn or for export, must clear or obtain permission to depart from, or enter at, the Miami International Airport, Miami, Florida; the John F. Kennedy International Airport, Jamaica, New York; the Los Angeles International Airport, Los Angeles, California; or any other airport that has been approved by CBP pursuant to paragraph (b) of this section, and must comply with the requirements in this part unless otherwise authorized by the Assistant Commissioner, Office of Field Operations, CBP Headquarters.

(b) *CBP approval of airports of entry and departure.*

(1) *Airports eligible to apply.* An international airport, landing rights airport, or user fee airport (as defined in §122.1 and described in subpart B of this part) that is equipped to facilitate passport control and baggage inspection, and otherwise process international flights and has an Office of Foreign Assets Control (OFAC) licensed carrier service provider that is prepared to provide flights between the airport and Cuba, may request CBP approval to become an airport of entry and departure for aircraft traveling to or from Cuba.

(2) *Application and approval procedure.* The director of the port authority governing the airport must send a written request to the Assistant Commissioner, Office of Field Operations, CBP Headquarters, requesting approval for the airport to be able to accept aircraft traveling to or from Cuba. Upon determination that the airport is suitable to provide such services, CBP will notify the requestor that the airport has been approved to accept aircraft traveling to or from Cuba, and that it may immediately begin to accept such aircraft. For reference purposes, approved airports will be listed on the CBP Web site and in updates to paragraph (c) of this section.

(c) *List of airports authorized to accept aircraft traveling to or from Cuba.* For

reference purposes, the following is a list of airports that have been authorized by CBP to accept aircraft traveling between Cuba and the United States.

Location	Name
Jamaica, New York	John F. Kennedy International Airport
Los Angeles, California	Los Angeles International Airport
Miami, Florida	Miami International Airport

[CBP Dec 11-05, 76 FR 5060, Jan. 28, 2011]

§ 122.154 Notice of arrival.

(a) *Application.* All aircraft entering the U.S. from Cuba must give advance notice of arrival, unless it is an Office of Foreign Assets Control (OFAC) approved scheduled commercial aircraft of a scheduled airline.

(b) *Procedure for giving advance notice of arrival.* The commander of an aircraft covered by this section shall give the advance notice of arrival not less than one (1) hour before crossing the U.S. coast or border. Notice shall be given either:

(1) Through Federal Aviation Administration flight notification procedure (see International Flight Information Manual, Federal Aviation Administration); or

(2) Directly to the CBP officer in charge at the applicable airport authorized pursuant to §122.153.

(c) *Contents of notice.* The advance notice of arrival shall state:

(1) Type of aircraft and registration number;

(2) Name of aircraft commander;

(3) Number of U.S. citizen passengers;

(4) Number of alien passengers;

(5) Place of last foreign departure;

(6) Estimated time and location of crossing the U.S. coast or border; and

(7) Estimated time of arrival.

(d) *Private Aircraft.* In addition to these requirements, private aircraft must also give notice of arrival pursuant to §122.22 of this part.

[T.D. 88-12, 53 FR 9292, Mar. 22, 1988, as amended by T.D. 99-71, 64 FR 53628, Oct. 4, 1999; CBP Dec. 08-43, 73 FR 68313, Nov. 18, 2008; CBP Dec 11-05, 76 FR 5061, Jan. 28, 2011]